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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Advanced Television Systems) MM Docket No. 87-268
and Their Impact Upon the)
Existing Television Broadcast)
Service)

TO: The Commission

**COMMENTS UPON EX PARTE SUBMISSION OF THE ASSOCIATION FOR
MAXIMUM SERVICE TELEVISION, INC. AND OTHER BROADCASTERS**

LIN Television Corporation, licensee of Station WISH-TV (Indianapolis, Indiana) NTSC Channel 8, DTV Channel 9 ("WISH-TV"), hereby comments upon the November 20, 1997 ex parte filing submitted by the Association for Maximum Service Television ("MSTV") and other broadcasters ("MSTV Submission") in so far as the MSTV Submission proposes changes to the digital television ("DTV") channel assignment for WISH-TV.^{1/} WISH-TV commends MSTV's efforts to resolve issues relating to DTV-to-DTV adjacent channel assignments and assignments in certain congested areas of the country. The vast majority of the changes proposed by MSTV are dramatic improvements over the existing DTV Table of Allotments and should serve both to expedite the introduction of DTV and to improve DTV service. MSTV's allocation and assignment changes for WISH-TV, however, do not advance either of the goals outlined in the MSTV Submission. More importantly, MSTV's proposals for WISH-TV run counter to the Commission's

^{1/} See Ex Parte Submission Based on New Technical Discoveries To Help the Commission Improve the DTV Table Of Allotments/Assignments Submitted By The Association For Maximum Service Television, Inc. and Other Broadcasters, MM Docket No. 87-268 (filed November 20, 1997); Public Notice, MM Docket No. 87-268, dated December 2, 1997 (allowing parties to submit responses to MSTV Submission on or before December 17, 1997).

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determination to assign adjacent NTSC and DTV channels to the same licensee whenever possible. Accordingly, WISH-TV urges the Commission to reject MSTV's proposed change to the Commission's DTV channel allotments and assignments in Indianapolis.

Under the DTV Table of Allotments ("DTV Table") adopted by the Commission in the Sixth Report and Order, MM Docket No. 87-268 ("Sixth R&O"), DTV Channel 9 is allotted to Indianapolis and specifically assigned to WISH-TV. WISH-TV currently conducts NTSC operations on adjacent Channel 8. This adjacent channel assignment in Indianapolis is consistent with MSTV's goal and the Commission's decision to assign adjacent NTSC and DTV channels to the same licensee when possible.^{2/} The Commission's approach ensures more efficient use of available spectrum by eliminating adjacent-channel DTV-to-NTSC interference through the use of co-location.^{3/}

The MSTV Submission, however, proposes to assign DTV Channel 34 to WISH-TV, rather than adjacent DTV Channel 9, in Indianapolis. There is no compelling reason to modify the Commission's allotment and assignment decisions for Indianapolis. As the attached engineering statement indicates, the total interference caused to other stations in the market and received by WISH-TV is roughly the same in terms of population, and only slightly different in terms of area, whether WISH-TV conducts digital operations on DTV

^{2/} See Broadcasters' Comments on the Sixth R&O, MM Docket 87-268 (November 22, 1996) ("Broadcasters' Petition"), at 21 ("The assignment of adjacent channels to the same licensee was the only goal that ranked higher than replication of NTSC service areas in Broadcasters' assignment methodology."); Sixth R&O, at ¶ 195 ("We recognize the concerns expressed in the comments with regard to use of channels adjacent to existing NTSC stations for DTV allotments. As suggested by the commenting parties, in those cases where it is necessary to use adjacent channels in the same area, the Table pairs and co-locates adjacent NTSC and DTV channels to the extent possible.").

^{3/} Sixth R&O, at ¶ 195; Broadcasters' Petition, at 22.

Channel 9 or DTV Channel 34.^{4/} In addition, reallocating WISH-TV from DTV Channel 9 to DTV Channel 34 does not further the goals outlined in the MSTV Submission.^{5/} Finally, assigning DTV Channel 9 to WISH-TV will enable DTV Channel 34 to be used by another station. If, however, WISH-TV is not assigned DTV Channel 9 and instead is forced to operate on DTV Channel 34, another station could not operate on DTV Channel 9 without locating operations in or around Indianapolis, causing significant interference to WISH-TV's NTSC operations.^{6/}

WISH-TV recognizes that the DTV Table may adversely affect the DTV or NTSC operations of stations in some areas of the country and that many of MSTV's changes dramatically improve upon these problems. But Indianapolis is not one of those areas and MSTV's proposed channel change for WISH-TV will cause more problems than it fixes. The allotment and assignment approach adopted by the Commission in the DTV Table for the Indianapolis market advances the Commission's goals of replication of existing service, maximization of DTV service areas and efficient use of the spectrum through use of adjacent

^{4/} See Engineering Statement of Jeff Reynolds of du Treil, Lundin & Rackley, Inc. ("Reynolds Analysis") (attached) (indicating that operations by WISH-TV on DTV Channel 9 displaces a total of 45,449 people and operations by WISH-TV on DTV Channel 34 displaces a total of 41,851 people). Moreover, the area of interference created by the DTV Channel 9 operations lies at the fringes of the service areas of the affected stations while much of the interference created by the DTV Channel 34 operations would fall within or immediately adjacent to the city limits of Indianapolis. Id.

^{5/} See MSTV Submission at 3 (noting its pleading "seeks to follow up on two systemic problems" with the DTV Table: DTV-to-DTV adjacent channels short-spacing assignments and assignments problems in the Northeast, Great Lakes and California coast).

^{6/} See Broadcasters' Petition, at 22 ("[A]ssigning adjacent channels in the same and neighboring markets will produce significant interference to NTSC service within the adjacent channel markets . . . tests also show that collocating adjacent channels and assigning them to the same licensee is the only way to adequately control this interference.").

NTSC and DTV channels. In the absence of a meaningful reduction in the amount of total interference in the Indianapolis market or some other compelling reason -- neither of which are presented in the MSTV Submission -- the MSTV modification to the DTV Table's channel assignment for WISH-TV in Indianapolis should be rejected.

Respectfully submitted,

LIN TELEVISION CORPORATION

A handwritten signature in black ink, appearing to read "G. Schmidt", is written over a horizontal line.

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du Treil, Lundin & Rackley, Inc.

A Subsidiary of A.D. Ring, P.A.

TECHNICAL EXHIBIT
PREPARED ON BEHALF OF
TV STATION WISH-TV
INDIANAPOLIS, INDIANA
IN MM DOCKET NO. 87-268

This Technical Statement was prepared on behalf of television station WISH-TV at Indianapolis, Indiana to provide a comparison of the interference caused and received for the FCC's DTV allotment for WISH-TV contained in 6th Report and Order in MM Docket No. 87-268 (Docket No. 87-268) and the DTV allotment proposed by MSTV in a recently filed ex parte submission.

FCC DTV Allotment

The FCC has proposed DTV channel 9 for WISH-TV with an ERP of 14.6 kW and an HAAT of 305 meters. The following tabulates interference caused by this allotment. It is noted that there is no (0) interference received.

Station Interfered With	Interference Caused by WISH-TV DTV Ch. 9 (FCC)	
	Population	Area (sq. km)
WCPO-TV, Cincinnati, OH Ch. 9, ERP 316 kW/HAAT 305 m	41,916	1,796
WTHI-TV, Terre Haute, IN Ch. 10, ERP 316 kW/HAAT 293 m	3,643	43
Total	45,559	1,839

The interference to the above affected stations is located at the fringe of each station's Grade B contour.

MSTV DTV Allotment

MSTV has proposed channel 34 for WISH-TV's DTV allotment with an ERP of 843.4 kW and an HAAT of 302.8 m. The proposed channel 34 DTV operation was also analyzed for

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potential interference caused and received and the results are tabulated below.

Station Interfered With	Interference Caused by WISH-TV DTV Ch. 34 (MSTV)	
	Population	Area (sq. km)
WTIU, Bloomington, IN Ch. 30, ERP 832 kW/HAAT 216 m	28,809	122
DWCET, Cincinnati, OH Ch. 34, ERP 50 kW/HAAT 326 m	2,210	179
Total	31,019	301

The majority of the interference to the above affected stations is located within or immediately adjacent to the Indianapolis city limits.

Interfering Station	Interference Received by WISH-TV DTV Ch. 34 (MSTV)	
	Population	Area (sq. km)
WNIT, South Bend, IN Ch. 34, ERP 1380 kW/HAAT 246 m	3,216	113
DWCET, Cincinnati, OH Ch. 34, ERP 50 kW/HAAT 326 m	7,621	266
Total	10,837	379

Calculation of TV service and interference was based on the Longley-Rice methodology contained in OET Bulletin No. 69 (July 2, 1997)


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December 16, 1997